

CAPT. FRANK'S OYSTERS
325 PIERCE STREET
GOLDEN MEADOW, LA 70357
(504) 475-6175

April 8, 1999

Dockets Management Branch
FDA

5630 Fishers Lane, Room 1601
Rockville, MD 20852

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Dear FDA:

I am writing today to express my strong objection to costly and unnecessary rules which you have been asked to consider by the Center for Science in the Public Interest.

As one who has worked in the oyster industry for the past 45 years and who understands the difficulties faced by farmers, processors and others who rely on shellfish, I can tell you first-hand of the economic damage these proposed rules will inflict upon us.

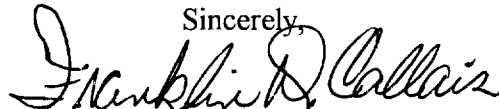
Most people in our industry own small operations with little financial stability and few cash reserves. I own a very small operation and sell only locally, never shipping out of state or to restaurants. Forcing us to comply with mandatory treatment will drive many out of the business altogether and greatly reduce our limited profits even further. Simply stated, we can't afford the costly equipment and cannot absorb the lower consumer demand which will result from treated oysters.

Until five years ago, the harvesting of oysters was only done in the winter months and not in the summer when the bacteria is greater. I refuse to sell oysters to anyone from the months of April 1st to October 31st. Our retail season is only for the months of November 1st to March 31st, when our local customers want oysters for their own consumption. For some unknown reason, five years ago was when all the rules and regulations started to change and this was when people who ate raw oysters started getting sick. Stop the harvesting of oysters in the summer months. Oysters are a seasonal product, just like most fruits and vegetables.

Consumers should have a choice between treated oysters and fresh oysters. The small number of people who may be at risk should heed the ample health warnings available where fresh oysters are sold and assume their own level of personal responsibility. I have posted on all my buildings and refrigeration units, health warnings. I have even asked customers if they have any medical problems, I will not sell them oysters, unless they are cooked before consumption.

I urge FDA to reject these crippling rules and to allow other appropriate independent state and national bodies such as ISSC to continue their educational and oversight activities as they have in the past.

Sincerely,



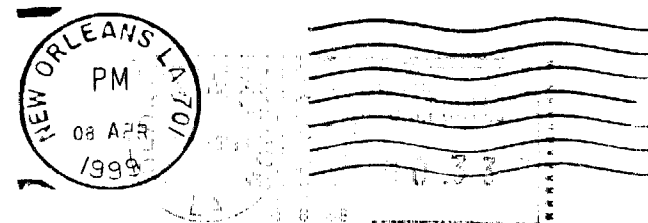
Franklin D. Callais

Owner of Capt. Frank's Oysters

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